

BILL WOULD CANCEL ENLISTMENT LIMIT

Dent Introduces Measure Providing Regular Army for After War Policing.

FINAL SIZE IS UNDECIDED

If Universal Training Is Adopted Large Numbers Will Be Necessary.

Special Despatch to The Sun.

WASHINGTON, Dec. 27.—The first move toward providing a regular army for use after the war in policing parts of Europe and the Mexican border and to garrison the Philippines, Hawaii, the Panama Canal Zone, Alaska, was made today when Chairman Dent (Ala.) of the House Military Committee introduced a bill to repeal the enlistment clause of the selective service act. As this law now stands enlistments in any branch of the Army are permitted only for the duration of the war and four months thereafter.

There was no hint from Representative Dent or from the War Department of the size of the future regular army. The fact, however, that the War Department estimates are based on an average of half a million men in the Army during the next fiscal year has indicated to Congress that the permanent military establishment planned by the War Department is much less than 500,000 for while there will be considerably more than this number in the Army for some time there will be considerably fewer later in the fiscal year.

The present authorized strength of the standing army is slightly over 200,000 and it is intended to use a much larger force in Europe for some years no increase in this figure may be necessary. The only contingency now foreseen which might require a professional army necessary is the immediate success of the fight for universal military training. To give incentive to the youth of the country to undergo military training, the War Department estimates are based on an average of half a million men in the Army during the next fiscal year has indicated to Congress that the permanent military establishment planned by the War Department is much less than 500,000 for while there will be considerably more than this number in the Army for some time there will be considerably fewer later in the fiscal year.

According to members of the House Military Committee the bill introduced by Chairman Dent is a makeshift measure to permit enlistments in the regular army for the regular period until the measure to reorganize the army, not yet presented to Congress, becomes a law.

CAPT. BELLAMY AGAIN CITED.

Former "Sun" Reporter Placed on French List for Heroism.

Special Cable to The Sun.

LONDON, Dec. 27.—Capt. David Bellamy, formerly a reporter on The Sun, has been cited in the French list of American officers whose heroic actions have been officially recognized by the French Government.

Capt. Bellamy was among those cited for the remarkable courage he displayed in the American offensive in July. He was cited for gallantry by the commanding officer of the Fourth Brigade, United States Marine Corps, for distinguished conduct on June 8 and 9 in the fighting in the Belleau woods. Capt. Bellamy was killed and his body was not recovered until the end of the war. He was killed and his body was not recovered until the end of the war.

U. S. TO PAY FOR SUNKEN SHIP.

Will Give \$81,205 to Owners of Barkentine Hit by Warship.

BOSTON, Dec. 27.—The United States Government must pay \$81,205 to the owners of the barkentine Mabel I. Myers, sunk July 30, 1915, by the battleship Nebraska off Cape Cod. A final decision was filed in the United States District Court today. The ship was bound for Boston from Barbados when run down by the Nebraska in fog. The right of appeal was waived by both sides and now Congress will be asked to appropriate the money to settle the claim.

DENIAL THAT CREEL IS OUT.

Returns to Paris From Verdun and the Argonne.

PARIS, Dec. 27.—George Creel, chairman of the Committee on Public Information, returned to Paris tonight on a trip to Verdun and the Argonne region. Edgar E. Sisson, his principal assistant, who accompanied him, stated that the rumor that Mr. Creel had resigned was untrue.

BRISBANE IN SOCIALIST PAPER.

Owned 1,000 Shares Until Recently in Berger's Milwaukee "Leader."

CHICAGO, Dec. 27.—Testimony dealing with the financial affairs of the Milwaukee Leader, the Socialist daily of which Victor L. Berger is editor, was given today at the trial of the five Socialist leaders charged with conspiracy to violate the espionage law. Frederick Rehfeld, business manager, testified that Arthur Brisbane sold his 1,000 shares in the paper for \$10,000 in 1917, when he decided to buy a paper of his own. The Arthur Brisbane paper owned 1,000 shares of the Leader.

SAILORS RIOT OVER ARREST.

Threaten Hoboken Police Headquarters to Rescue Five.

Hoboken sailors who threatened to burn police headquarters in Hoboken today and rescue five of their comrades who had been arrested for disorderly conduct were dispersed only after a naval guard, armed with rifles, had been sent to the scene. The sailors, who were in the city for a holiday, threatened to burn police headquarters in Hoboken today and rescue five of their comrades who had been arrested for disorderly conduct.

Cites No Man Above Law Case.

Mr. Hughes cited the case of the United States against Lee in the case of Justice Miller, who wrote the majority opinion of the United States Supreme Court, to declare, "No man is above the law."

Mr. Hughes pointed out that the President is not to be involved in his political actions, but as the delegate of Congress authorized to act under conditions fixed in the resolution of July 16.

"As an act of the President in Congress the law, that the President in Congress can do as he pleases without any in-

HUGHES ATTACKS SEIZURE OF CABLES

Argues in Burleson Suit That President Exceeded Power Given by Congress.

SAYS MENACE HAD GONE

Judge Hand Asks About the Court's Right to Review Acts of Executive.

Special Despatch to The Sun.

Opposing an effort of the Government to quash the suit of the Commercial Cable Company against Postmaster-General Burleson and Newcomb Carlton, director of the merged cable systems under Government control, Charles E. Hughes argued yesterday before Federal Judge Learned Hand that President Wilson violated the spirit of a statute when he proclaimed the seizure of the cable systems after Germany had collapsed and the danger of armed aggression had passed.

Mr. Hughes spoke in opposition to Edward F. McClellan, special assistant to the Attorney-General, and Harold Harper, Assistant United States Attorney, who argued in support of a motion to dismiss the suit, asserting lack of jurisdiction by the Federal District Court. Mr. McClellan declared that an injunction directed against the Postmaster-General and Director Carlton would be futile, and that the tribunal to which the complainant should resort with the allegation that the President exceeded his powers was Congress sitting as a court of impeachment. He said that it was hard to believe that the court would permit a proceeding to continue which might lead to the spectacle of the President testifying on the witness stand in justification of his seizure of the cables and to his being cross-examined by a former opponent for the office he held.

Denies President's Authority.

Mr. Hughes explained that the Postmaster-General had seized the thirteen Atlantic cables of the Commercial and Western Union companies but the cables to South America and the 10,000 mile cable of the Commercial company to Japan were not seized. "The only authority for that action," he said, "was asserted to be the proclamation of the President said to be in support of the seizure of the cables of July 16. It was a grant of power with a limitation. It defined the emergency in which alone that power could be exercised. It was a power that had direct relation to the existence of danger to the national security. We submit that action by the President was not within the scope of that power, but a finding upon facts a reasonable judgment permitted by a situation in which the national security could be deemed to be actually threatened."

Question of Menace to Nation.

"I think what may be achieved, in the sense of the final results of the war, will not be determined during our lifetime," he said. "He added that in his view that what Congress had in mind when it equipped the President with extraordinary powers was a condition of an actual state of applied force."

In summing up his contention that the seizure of the cables was an exercise of the powers after they had expired with the signing of the armistice, Mr. Hughes said: "Reading that resolution for the purpose of determining its true spirit and intent, it is clear that the President was intended to empower the President with a means for successfully prosecuting the war and, as the resolution was now, it was intended for protecting the national security from a threatened and impending danger. It did not give authority with respect to a condition existing after all threat of danger had been removed."

Political Policies an Issue.

"I am merely urging upon you what we deem to be the fair import of the resolution as you read it in the light of conditions at the time at which it was passed. We say that the President was not authorized to seize the cables in the light of any supposed policy for national security at the time at which it was passed. National security, in the sense of political policies which may insure security and promote the general welfare, is not the sense in which the words are used in this resolution."

Call Answer a Demurrer.

Mr. Hughes pointed out that when the railroads were taken over a revolving fund was provided as a source of compensation. He explained that the Government had taken over the commercial cable company and of the Pacific Cable Company, an allied corporation. Clarence H. Mackay, president of the Commercial Cable Company, said that the seizure was legal. In answering Mr. Hughes, Mr. McClellan said that counsel for the complainant had in some respects misunderstood him. "I do not believe that anywhere in my argument I made a suggestion that the President is above the law," he said, "or that he was authorized to do an arbitrary act. If the joint resolution was constitutional it conferred only limited authority. I intended no suggestion that it gave the President a right to do an arbitrary act. The authority was limited to the existence of danger to the national security and defense."

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U. S. TO TURN BACK SHIPS TO OWNERS

Colby Announces This Will Be Done as Rapidly as Possible.

CLARIFIES HURLEY STORY

Reveals Ultimate Destination of Huge Merchant Fleet Built and Building.

Special Despatch to The Sun.

WASHINGTON, Dec. 27.—The United States Shipping Board is not planning to operate the vessels under its control in world trade. Instead they will be turned back to their owners for private operation in the commerce of the country as rapidly as possible.

This was made plain in an announcement by the board by Bainbridge Colby today following publication of a statement by Chairman Hurley that the board was building up a permanent world organization.

While the board is creating such an organization its permanency, it is made plain, is doubtful, and it is intended to meet the necessities of the present situation while the Shipping Board is the operator of practically all of American overseas tonnage. Such operations are not to be continued. On the contrary it is to be made as short lived as possible.

This statement is the first clear cut announcement since what is known as the Hurley story, the following official statement was issued by Bainbridge Colby: "The despatch from Paris to the effect that the Shipping Board has decided to create a permanent world organization for the purpose of handling the Government's trade fleet and to open offices in London, Paris, Rome, Bombay, Shanghai, Yokohama, Buenos Ayres, Rotterdam, Antwerp, etc., gives an incorrect impression."

"There are a few European ports where the temporary business of the board has required the presence of the board, and we certainly do not wish the American owners of requisitioned ships to get the impression that the board is planning to create a permanent programme of worldwide employment for trade purposes of shipping which we have temporarily requisitioned for the purpose of handling the Government's trade fleet and to open offices in London, Paris, Rome, Bombay, Shanghai, Yokohama, Buenos Ayres, Rotterdam, Antwerp, etc., gives an incorrect impression."

Constitutional Point Raised.

Mr. Hughes argued in support of the contention of the complainant that the seizure was in violation of the constitutional provision against the taking of private property without due process of law and just compensation. This is the other of the two principal issues raised by the cable company.

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Continued from First Page.

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Mr. Hughes pointed out that when the railroads were taken over a revolving fund was provided as a source of compensation. He explained that the Government had taken over the commercial cable company and of the Pacific Cable Company, an allied corporation. Clarence H. Mackay, president of the Commercial Cable Company, said that the seizure was legal. In answering Mr. Hughes, Mr. McClellan said that counsel for the complainant had in some respects misunderstood him. "I do not believe that anywhere in my argument I made a suggestion that the President is above the law," he said, "or that he was authorized to do an arbitrary act. If the joint resolution was constitutional it conferred only limited authority. I intended no suggestion that it gave the President a right to do an arbitrary act. The authority was limited to the existence of danger to the national security and defense."

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SAILORS GET TROOPS OUSTED FROM BERLIN

Continued from First Page.

yearly with the Ebert-Haase Government. The sailors agree not to participate in any future revolt against the Government. The settlement between the sailors and the Government does not satisfy the former, which expresses hope that the sailors will subordinate themselves to the Government and show themselves good republican soldiers. The removal of the troops under General Lequis, he says, may be interpreted as the temporary elimination of the only agency of law and order of which the Berlin bourgeoisie had set its hope.

The Lokai Anzeiger announces the formation of a society for the purpose of combating Bolshevism. The correspondence is informed that a recent meeting of Berlin bankers one of the questions considered seriously was the possibility of raising the status of the ruble which is circulating in Germany in greater profusion than the present economic relations with Russia warrant. The bankers are said to have solved the mystery since the exchange of wireless communications between Hugo Haase of the Berlin Government and Adolf Joffe, recently the Russian ambassador here.

Berlin was quiet today except for noisy Spartacist demonstrations in the Tiergarten. Dr. Liebknecht and Deputy Joffe addressed a crowd of about 10,000 in the Tiergarten after which the crowd marched to the Brandenburg gate to the former Royal Palace to demand the overthrow of the Government.

In addition to the damage already reported in Tuesday's fighting the Cathedral is badly scarred by machine gun fire and one of the marble columns forming the back of the monument of Emperor William I. was completely shot away by a battery from a range of 200 feet.

The correspondent inspected the interior of the Red Palace and found it in a state of complete confusion. The former royal apartments had been transformed into a revolutionary habitation and signs of confusion and neglect were everywhere. The ornate dining room of the former Emperor were the bodies of five sailors killed in the fighting. The palace ostensibly is under the protection of the revolutionary government as "national property," but it is doubtful whether the authorities have any control over the hundreds of sailors and soldiers quartered there.

No authoritative list of casualties is yet available. Estimates of the number of dead vary from twelve to sixty. That the great majority of the dead are considered extraordinary in view of the extent of promiscuous shooting by both sides. Unless the Government prohibits a public ceremony the burial of the sailors killed in the fighting will be made the occasion of a mammoth demonstration by the Liebknecht party.

MUSTACHE SHORN.

LUDENDORFF SAFE

General Escapes From Berlin by Close Shave.

Special Cable Despatch to The Sun from the London Times Service.

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STOCKHOLM, Dec. 27.—The Berlin correspondent of the London Times today heard an authentic story that Gen. Ludendorff had escaped. Two days before the revolution he was hiding in civilian clothes in a boarding house in the city. A toiler from the eastern marshes of the empire who in the past frequently opposed Ludendorff's reckless policy as a result got himself into considerable trouble with the military authorities and decided he must be assisted to escape.

He obtained a passport giving a false name, and he boarded a train and sent his orderly to fetch Ludendorff. The general, however, refused to leave the house. The next day the nobleman returned and made another attempt. The car was stopped by a picket of the Workmen and Soldiers' Council and the passenger had to be thrown into the gutter to avoid discovery. On arriving at the boarding house the orderly was sent again with a razor in his hand and with instructions to shave Ludendorff's mustache. The orderly on his head and bring him down at all costs.

These instructions were carried out, but the German military dictator subsequently crossed the frontier without a passport and where he went cannot be told, but it is a fact that he no longer has a mustache.

KAISER HID IN DUGOUT FAR FROM TRENCHES

"Fearless" Hindenburg Had Its Duplicate.

Continued from First Page.

Correspondence of the Associated Press. BERLIN, Dec. 27.—The former headquarters of the Kaiser and his General Staff is disclosing extraordinary facts about the men who engineered the world war.

Hindenburg, for example, Germany's supreme commander, whom legends have been written disclosing him as a fearless leader, spent a great deal of time in a wonderfully constructed "funk hole" or dugout, underneath his villa here. Yet Spa was almost a day's journey in a horse-drawn carriage.

The correspondent adds that all the lower classes are willing to see foreign troops in the capital, feeling they have nothing to lose and perhaps something to gain thereby. He adds that the quiet by the correspondent as saying that he and his fellow cabinet members, Hugo Haase and Wilhelm Dittmann, would not accept the responsibility of the situation in the attack, he added, were given by Premier Ebert, Philipp Scheidemann and Herr Landwehr. Each of them sent the correspondent to consult his colleagues and might leave the Government immediately.

The correspondent considers one of the most disquieting factors of the situation the part played by the sailors' wives and sweethearts, some of whom participated in the fighting.

Call Prince a Thief.

The prince gives extracts of letters from Prince Albert to his German Ambassador to France, shortly before the war, saying "Where are they leading us? I fear a great catastrophe."

One of the Emperor's expressed solicitude for the Parisians during the Paris floods. "These are the same Parisians," says the prince, "whom you bombarded, killing women and children and the sick."